AMENDMENTS TO THE CLAIMS

1.   (Currently Amended) A method of wireless communication comprising:

transmitting a first sub-frame associated with a first frame using a first wireless resource;

transmitting a first sub-frame associated with a second frame using the first wireless resource and a second wireless resource if an acknowledgement message associated with the first sub-frame associated with the first frame is received; and

transmitting a second sub-frame associated with the first frame using the first wireless resource and transmitting the first sub-frame associated with the second frame using the second wireless resource if a non-acknowledgement message associated with the first sub-frame is received.

2.   (Original) The method of Claim 1, wherein the first and second least wireless resources comprise at least one of a channelization code, a channelization tone and an allocate transmit power level.

3-4.   (Canceled)

5.   (Previously Presented) The method of Claim 1, wherein the second sub-frame of the first frame using the first wireless resource is transmitted concurrently with the transmitting of the first sub-frame from the second frame using the second wireless resource in response to receiving the non-acknowledgement message associated with the first sub-frame associated with the first frame.

6.   (Original) The method of Claim 5, wherein at least one of the first and second frames comprises a plurality of incrementally redundant sub-frames.

7.   (Original) The method of Claim 6, wherein at least one of the first and second frames comprises at least one do-not-transmit sub-frame.

8.   (Original) The method of Claim 7, wherein the first and second frames are assigned to a single user.

9.   (Original) The method of Claim 6, comprising:

transmitting a subsequent sub-frame of the plurality of incrementally redundant sub-frames of the first frame in response to a non-acknowledgment message associated with a most recently transmitted sub-frame of the first frame.

10.   (Original) The method of Claim 9, comprising:

terminating the transmitting of remaining sub-frames of the plurality of incrementally redundant sub-frames of the first frame in response to receiving an acknowledgement message associated with a most recently transmitted sub-frame of the first frame.

11.   (Original) The method of Claim 5, comprising:

transmitting at least one sub-frame from a subsequent frame

using at least the first wireless resource if a non-acknowledgement message associated with the second frame is received, and

using at least the first and the second wireless resources if an acknowledgement message associated with the second frame is received.

12.   (Original) The method of Claim 11, wherein the acknowledgement message associated with the second frame is received in response to the receipt of one the incrementally redundant sub-frames of the second frame.

13.   (Original) The method of Claim 5, wherein at least one of the first and second frames comprises at least one of a voice sub-frame, a video sub-frame and a wireless gaming sub-frame.

14.   (Currently Amended) A method of wireless communication comprising:

transmitting an acknowledgement message or a non-acknowledgement message indicating whether a first sub-frame associated with a first frame was received using a first wireless resource;

receiving a first sub-frame associated with a second frame using the first wireless resource and a second wireless resource if an acknowledgement message is transmitted; and

receiving a second sub-frame associated with the first frame using the first wireless resource <u>and</u> receiving the first subframe associated with the second frame using the second wireless resource if a non-acknowledgement message is transmitted.

15.   (Original) The method of Claim 14, wherein the first and second least wireless resources comprise at least one of a channelization code, a channelization tone and an allocate transmit power level.

16.   (Previously Presented) The method of Claim 15, comprising at least one of:

receiving the first sub-frame associated with the first frame using at least the first wireless resource; and

failing to receive any sub-frames associated with the first frame before timing out.

17.   (Previously Presented) The method of Claim 16, comprising:

awaiting reception of the second sub-frame of a plurality of sub-frames associated with the first frame using at least the first wireless resource in response to transmitting the non-acknowledgement message associated with the first frame.

18.   (Previously Presented) The method of Claim 17, wherein the second sub-frame of the first frame is received concurrently with the receiving of the first sub-frame from the second frame using the second wireless resource in response to transmitting the non-acknowledgement message associated with the first frame.

19.   (Original) The method of Claim 18, wherein at least one of plurality of sub-frames associated with the first and second frames comprises a plurality of incrementally redundant sub-frames.

20. (Original) The method of Claim 19, wherein the first and second frames are assigned to a single user.

21. (Original) The method of Claim 19, comprising:

awaiting reception of a subsequent sub-frame of the plurality of incrementally redundant sub-frames of the first frame in response to a non-acknowledgment message associated with a most recently received sub-frame of the first frame.

22. (Original) The method of Claim 17, comprising:

receiving one sub-frame of a plurality of sub-frames associated with a subsequent frame

using at least the first wireless resource if a non-acknowledgement message associated with the second frame is transmitted, and

using at least the first and the second wireless resources if an acknowledgement message associated with the second frame is transmitted.

23. (Original) The method of Claim 22, wherein the acknowledgement message associated with the second frame is transmitted in response to the receipt of one the incrementally redundant sub-frames of the second frame.

24. (Original) The method of Claim 18, wherein at least one of the first and second frames comprises at least one of a voice sub-frame, a video sub-frame and a wireless gaming sub-frame.